



CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Approve Minutes
a) March 4, 2008 (Shirtsleeve Session)
b) March 11, 2008 (Shirtsleeve Session)
c) March 11, 2008 (Special Meeting)

MEETING DATE: March 19, 2008

PREPARED BY: City Clerk

RECOMMENDED ACTION: Approve the following minutes as prepared:
a) March 4, 2008 (Shirtsleeve Session)
b) March 11, 2008 (Shirtsleeve Session)
c) March 11, 2008 (Special Meeting)

BACKGROUND INFORMATION: Attached are copies of the subject minutes, marked Exhibits A through C.

FISCAL IMPACT: None.

FUNDING AVAILABLE: None required.

Randi Johl
City Clerk

RJ/JMP

Attachments

APPROVED: _____
Blair King, City Manager

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, MARCH 4, 2008**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, March 4, 2008, commencing at 7:01 a.m.

A. ROLL CALL

Present: Council Members – Hitchcock, Hansen, Johnson, and Katzakian

Absent: Council Members – Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. TOPIC(S)

B-1 "Regional Housing Needs Assessment Allocation Report"

City Manager King briefly introduced the subject matter of the Regional Housing Needs Assessment (RHNA) Allocation Report.

San Joaquin Council of Governments (SJCOG) Executive Director, Andrew Chesley, provided an overview of the State program and requirements for affordable housing and the need for some change to assist local governments in meeting the goals.

In response to Mayor Pro Tempore Hansen, Mr. Chesley stated the professional planners are made up of community development directors from within the County.

SJCOG Senior Regional Planner, Mike Swearingen, provided a PowerPoint presentation regarding the RHNA Allocation Report. Specific topics of discussion included an overview of the report, purpose, statutory objectives, RHNA development committee, methodology in draft RHNA report, controversial nature of process, what RHNA is and is not, mandated RHNA schedule, RHNA development in other regions, San Joaquin County RHNA target for region, sum total based on single number for entire State and then divided among the various counties, City of Lodi methodology and household income distribution numbers, other RHNA factors, housing unit transfers, incentives for housing element compliance, and the next steps.

In response to Council Member Johnson, Mr. Swearingen confirmed that there was only a 700 unit adjustment in consideration of the foreclosures within the County. Community Development Director Randy Hatch stated the State sets a specific number for the entire State and then divides and allocates a portion of that number to each County. Mr. Hatch stated adjustments are rare because if one jurisdiction receives fewer units than another must receive more.

In response to Council Member Hitchcock, Mr. Swearingen stated the weight factor reflects a one to one ratio for jobs and housing.

In response to Mayor Pro Tempore Hansen, Mr. Swearingen stated that, although the housing element is an unfunded mandate, it is important to be compliant by having a housing element plan because it may affect eligibility for Community Development Block Grant funds or other programs. Mr. Hatch stated it is also important to show ongoing efforts and be compliant by receiving the certification from the State for the housing element plan even though the reality of actual development may differ.

In response to Mayor Pro Tempore Hansen, Mr. Hatch stated the RHNA program has been in place since the 1980s. Mr. King discussed the lack of evidence showing improved affordable housing developments, the need to show parcel availability, penalties and enforcement associated with non-compliance, and the impact on the General Plan with respect to the amount of land that is available in inventory regardless of the City's 2% growth rate.

A brief discussion ensued between Council Member Johnson and Mr. King regarding similar concerns with Tracy that too much land is shown in the General Plan and the debate of signing units based on housing, jobs, and population.

In response to Mayor Pro Tempore Hansen, Mr. Swearingen and Mr. King confirmed that open land identified in the General Plan is not only limited to affordable housing development.

In response to Council Member Hitchcock, Mr. Swearingen stated that the methodology for the County is similar to that used in the last RHNA process. He also confirmed that, while each region may have a different methodology based on their community's characteristics, they all have a tie in with jobs and population. Mr. Hatch stated that the basic components of any methodology are set by the State and other regions may be a bit more sophisticated with their housing breakdown. A brief discussion ensued between Council Member Hitchcock and Mr. Hatch regarding the fallacy of the jobs, housing, and population balance and the ratio of one to one.

In response to Council Member Hitchcock, Mr. Chesley stated one reason for not using a more sophisticated methodology is the difficulty it creates with staff administering the process and assessing compliance. He stated it might be appropriate to consider past inequities in affordable housing within the County as a factor.

In response to Mayor Pro Tempore Hansen, Mr. Swearingen stated Lodi is the only city that does not show a negative difference on income from previous allocation as listed in Attachment A because the information is based on historical data, including economic development. He stated the output numbers from the formula are not set in stone.

In response to Council Member Hitchcock, Mr. Swearingen stated there is benefit for a bedroom community under this formula. He stated the draft methodology will be evaluated by the Committee after the public comment period ends and suggestions are provided by the communities.

In response to Mayor Pro Tempore Hansen, Mr. Swearingen confirmed that for Lodi's numbers to go down, another jurisdiction's number would need to rise. Mr. Hatch stated jobs information from the Regional Transportation Plan is the primary factor that is driving the numbers. He stated SJCOG is working with the University of Pacific to obtain more current and accurate data regarding the same.

Discussion ensued between Council Member Johnson and Mr. Hatch regarding exporting jobs over the Altamont Pass, the proposition that employees do not necessarily equal jobs, employee tie in with commute and residence, job tie in with geographic location, and employed residents versus jobs available.

In response to Council Member Johnson, Mr. Hatch stated the Lodi numbers are consistent with the available data, but it is important to try to obtain more current and accurate data as SJCOG is attempting to do so with the University of the Pacific.

In response to Council Member Hitchcock, Mr. Swearingen stated the City's numbers shown for the low and very low categories are based on median family income data from the last decennial census and the formula that defines the very low, low, moderate, and above moderate categories.

Council Member Hitchcock requested a copy of additional data that is available regarding the methodology and numbers. She also suggested revising the draft methodology based on her concerns that it is too simple and does not reflect current thinking.

Mr. Swearingen stated he would be happy to provide the requested information and will forward the same to staff. He also requested the City provide its concerns to him in writing so that he may take the same back to the Committee to evaluate the methodology.

In response to Mayor Pro Tempore Hansen, Mr. Hatch stated the slow growth benefits the City in the sense that it is factored into the household growth component which is reduced. Mr. Hatch stated that is only a partial factor, however, and the numbers are primarily being driven by the job issue.

Mayor Pro Tempore Hansen stated the City will likely provide a written summary of its concerns and concurred with Council Member Hitchcock regarding her request for additional data and spreadsheets.

Mr. King stated the item will be brought back to the City Council for consideration and solidification of its formal position. A brief discussion ensued between Mr. King and SJCOG representatives regarding the tentative date of April 24, 2008, for final methodology approval by the SJCOG Board and submission to the State.

In response to Myrna Wetzel, Mr. Hatch stated the housing element is a process driven by the State Legislature.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:23 a.m.

ATTEST:

Randi Johl
City Clerk

**CITY OF LODI
INFORMAL INFORMATIONAL MEETING
"SHIRTSLEEVE" SESSION
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, MARCH 11, 2008**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, March 11, 2008, commencing at 7:22 a.m.

A. ROLL CALL

Present: Council Members – Hansen, Johnson, and Katzakian

Absent: Council Members – Hitchcock and Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. TOPIC(S)

B-1 "Sustainable City Program and Certification"

City Manager King provided a brief introduction of the subject matter, stating that many cities are in the process of evaluating their sustainable practices and obtaining recognition regarding the same.

Planning Manager Peter Pirnejad introduced Matthew Burris, Community Planner with RBF Consulting-Urban Design Studio, and provided a PowerPoint presentation regarding the proposed sustainable city program and certification. Specific topics of discussion included Autobond International Sustainable Communities Program, RBF proposal, hybrid approach of recommendation, definition of sustainability, sustainability matrix, specifics of proposals from Autobond International and RBF Consulting, sustainability programs in other cities and counties, AB 32 application, Lodi-Woodbridge Winegrape Commission certification, related costs, and staff recommendation regarding the same.

In response to Mayor Pro Tempore Hansen and his question regarding how sustainability affects in a quantifiable way bringing in businesses, Mr. Pirnejad provided an example of a corking company that was making floors from cork waste products instead of throwing the waste away. He stated waste reduction is a way of thinking for businesses and the City.

In response to Mayor Pro Tempore Hansen, Mr. Pirnejad stated the program would focus on economics in two ways including being more conservative with existing resources and leveraging existing resources to do more. He stated it also provides an opportunity for the City to set an example for existing and new businesses to operate in a more effective and efficient manner.

In response to Mayor Pro Tempore Hansen, Mr. King stated financial sustainability for future generations is important with respect to both reserves and practices.

In response to Council Member Johnson, Mr. Pirnejad stated sustainability could be tied into the General Plan and job generation based on density of the jobs. He stated the General Plan goals can specify the types of activities and job-generating businesses that are desired in the community, along with the practice requirements they need to meet.

Discussion ensued between Council Member Johnson, Mr. Pirnejad, and Mr. King regarding costs associated with going green, the process associated with tapping into the resources for a specific community, and sustainable practices related to water supply availability and conservation, National Pollutant Discharge Elimination System standards, and recycling programs.

In response to Council Member Katzakian, Mr. King stated the bigger elements of a General Plan are usually land use and traffic. He stated economic development and sustainability are incorporated into the existing seven components of the plan and listing sustainability as a separate component may help organize practices for maximum benefit.

In response to Mayor Pro Tempore Hansen, Mr. King stated the first of the proposed program is to obtain a sustainable certification through cataloging existing practices to get a seal of approval as the Winegrape Commission did. He stated the other piece is to attract industry and there may be some individuals in the development community that would like to contribute to the certification costs.

In response to Council Member Johnson, Mr. King stated he is not sure of the impact that will be placed on staff in connection to doing a sustainability program. He stated that information would be brought back to Council. Mr. Pirnejad stated it is more likely that the Autobond certification process alone will have more impact on staff than the RBF proposal. Mr. Pirnejad also recommended conducting the Green Busy Market Study to attract businesses to the City.

In response to Myrna Wetzel, Mr. King stated that sustainability could be another tool for economic development and attracting new businesses to town, along with redevelopment and the enterprise zone.

In response to Mayor Pro Tempore Hansen's question regarding the carbon concerns and AB 32, Mr. Burris stated he is not aware of any other community that has tried to calculate the same on an incremental basis. He stated he is aware of some legislation pertaining to local control over determining a community's carbon footprint. He also provided an example of the Pasadena green building program, which was implemented as a result. Mayor Pro Tempore Hansen suggested approaching cautiously in light of the flux of AB 32 and related efforts.

Dr. Cliff Ohmart, Integrated Pest Management Director for the Lodi-Woodbridge Winegrape Commission, spoke in support of the City's effort to obtain certification as a sustainable community and provided examples of the Commission's efforts to do the same. In response to Mayor Pro Tempore Hansen, Dr. Ohmart stated the wine industry is progressive in comparison to the remainder of the agricultural community and the Commission has received a good response and marketability from the wine industry.

City Manager King stated the matter will be brought back at a regular Council meeting after staff has refined the proposal in light of the Council's comments.

C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

None.

D. ADJOURNMENT

No action was taken by the City Council. The meeting was adjourned at 8:26 a.m.

ATTEST:

Randi Johl
City Clerk

**LODI CITY COUNCIL
SPECIAL CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
TUESDAY, MARCH 11, 2008**

A. CALL TO ORDER / ROLL CALL

The Special City Council meeting of March 11, 2008, was called to order by Mayor Pro Tempore Hansen at 7:01 a.m.

Present: Council Members – Hansen, Johnson, and Katzakian

Absent: Council Members – Hitchcock and Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. REGULAR CALENDAR

- B-1 “Adopt Resolution Authorizing the City Manager to Execute a Cost Reimbursement Only ‘Lease Agreement’ between the Administrative Office of the Courts and the City of Lodi for Utilization of Courtroom No. 1, Located at 230 West Elm Street, Lodi (Old Public Safety Building Court Space), for an Approximate Two-Month Period; and Further Authorizing the City Manager to Negotiate a Conservative Estimate for the Cap of Utility and Maintenance Costs”

City Manager King briefly introduced the subject matter. He provided an overview of the current status of the old Public Safety Building and the request to allow the courts to utilize the space for a special trial. Mr. King stated there is a requirement that the courts vacate the space by May 16, 2008, in order to facilitate the Finance Department transition. He stated that the courts will cover out of pocket costs, including utilities.

Judge Murray stated the courts are requesting the use of the space for a trial that will take approximately eight weeks using a retired judge because there is a shortage of space in the downtown Stockton courts.

In response to Council Member Johnson, Judge Murray stated he does not anticipate the trial will last longer than May 16. He stated the courts will vacate the space regardless of the schedule, even if they are required to make additional accommodations in downtown.

In response to Mayor Pro Tempore Hansen, Judge Murray stated he does not think it is possible to start the trial earlier in light of the schedule of the parties and witnesses, but he does anticipate the trial will move according to schedule because the retired judge will only be focusing on this case alone.

In response to Mayor Pro Tempore Hansen, Judge Murray stated the courts will not have additional space in the new County building because the courts are a separate entity under the State.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Hansen second, adopted Resolution No. 2008-41 authorizing the City Manager to execute a Cost Reimbursement Only “Lease Agreement” between the Administrative Office of the Courts and the City of Lodi for utilization of Courtroom No. 1, located at 230 West Elm Street, Lodi (old Public Safety Building court space), for an approximate two-month period; and further authorizing the City Manager to negotiate a conservative estimate for the cap of utility and maintenance costs. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, and Katzakian

Noes: Council Members – None

Absent: Council Members – Hitchcock and Mayor Mounce

- K-2 "Authorize the City Manager to Engage Lamont Financial Services to Provide Advice with Regard to Redemptions of Electric Utility Certificates of Participation Dated 2002"

City Manager King provided a brief overview of the status of the 2002 Electric Utility Bonds and the related redemption of the municipal bonds.

In response to Mayor Pro Tempore Hansen, Mr. King stated there is not a specific timeline because staff is unsure of how long the process will take in light of the fact that other municipalities are going through the same thing as the City of Lodi with the banks.

In response to Council Member Johnson, Mr. King stated staff is in the process currently of determining various alternatives and paths for Council consideration, additional information will likely be available from Lamont Financial Services by March, and efforts are underway to determine the viability of a letter of credit with the French bank.

In response to Council Member Johnson, Tom Dunphy with Lamont Financial Services stated credit liquidity is a current issue, thousands of cities are experiencing the same concerns, and timing is uncertain as a result. He stated the City is speaking with various letter of credit providers, as are other municipalities, and they will keep the City Council aware of the options while being mindful of the related costs.

In response to Mayor Pro Tempore Hansen, Mr. King stated the 2002 Electric Utility bonds are the only City bonds that are subject to a variable rate and therefore the only bonds that are susceptible to this type of a call.

MOTION / VOTE:

The City Council, on motion of Council Member Johnson, Katzakian second, authorized the City Manager to engage Lamont Financial Services to provide advice with regard to redemptions of Electric Utility Certificates of Participation dated 2002. The motion carried by the following vote:

Ayes: Council Members – Hansen, Johnson, and Katzakian

Noes: Council Members – None

Absent: Council Members – Hitchcock and Mayor Mounce

C. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 7:22 a.m.

ATTEST:

Randi Johl
City Clerk